



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2009 JAN -6 PM 4: 13

RECEIVED

JAN 12 2009

OFFICE OF PETITIONS

In re application of:  
Karel BERG

Appl. No. 09/993961  
U.S. Patent No.:

Filed: 27 November 2001  
Issued:

For: **METHOD AND APPARATUS FOR  
CLEANING A MILK LINE SYSTEM**

Confirmation No. 9011

Art Unit: 1792

Examiner: Saeed Chaudhry

Atty. Docket: 04132.0125.000000

**REQUEST FOR CORRECTION OF ENTITY STATUS AND  
PETITION UNDER 37 CFR §1.28(C) TO ACCEPT DEFICIENCY IN PAYMENT OF FEES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

01/07/2009 DALLEN 00000014 09993961

01 FC:1461

5454.00 DP

Sir:

This paper and petition is submitted to correct the entity status for the above-referenced patent and its corresponding application and to petition the Office to accept the deficiency in payment of fees corrected hereby, pursuant to 37 C.F.R. §§1.27 and 1.28.

The Assignee of Record recently became aware that its US patent counsel had continued to improperly claim small entity status subsequent to the assignee's loss of this entitlement on January 1, 1994. Thus, all fees paid in this application from January 1, 1994 to present must be adjusted to the full and correct value.

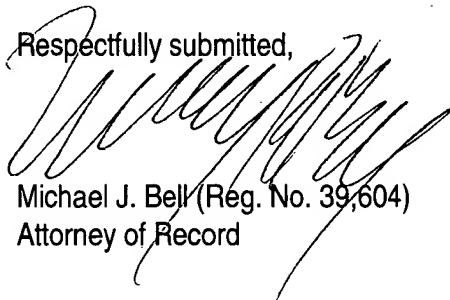
Assignee requests that the Office correct the entity status of the patent and the corresponding application. Assignee further requests that the Office accept and process the deficiency payment submitted herewith in accordance with 37 CFR 1.28(C). The requirements pertaining to calculation of the deficiency owed and itemization of the deficiency payment in accordance with 37 CFR 1.28(C)(2) can be found in Exhibit B.

Submitted herewith as Exhibit A is a copy of the Power of Attorney filed on 25 April 2008 and the Notice of Acceptance dated 12 May 2008.

Also submitted herewith as Exhibit B is an itemized listing of all fees paid, after January 1, 1994, during prosecution of this application, as Issue Fee payment, as Maintenance Fees, and as any other fees paid. All applicable surcharges are also included therein. This list is believed to be a comprehensive listing of all applicable fees and corresponding deficiencies. The correct fee amounts are calculated for the present date. The total deficiency is calculated at the bottom of the table and a \$130 petition fee in accordance with 37 CFR 1.28(C)(3) and 1.17(i) is added thereto. Payment for the total amount is attached hereto in the form of a check made out to the Commissioner, United States Patent Office.

Acceptance and correction of the entity status and corresponding fees are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Bell', is written over the typed name and title.

Michael J. Bell (Reg. No. 39,604)  
Attorney of Record



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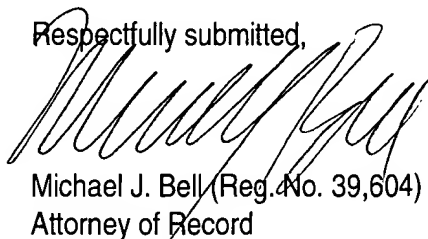
**AUTHORIZATION TO CHARGE FEES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

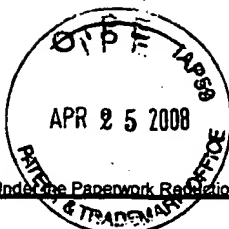
The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment in conjunction with the contemporaneously filed Request for Correction of Entity Status, including any petition fees, to Deposit Account No. 08-3038 referencing Docket No. 04132.0125.000000. If extensions of time under 37 C.F.R. § 1.136 are required to prevent expiration/abandonment of the present patent/application, then such extensions of time are hereby petitioned, and any fees therefore are hereby authorized to be charged to Deposit Account No. 08-3038 referencing Docket no. 04132.0125.000000.

Respectfully submitted,



Michael J. Bell (Reg. No. 39,604)  
Attorney of Record

# **EXHIBIT A**



PTO/SB/21 (01-08)

Approved for use through 04/30/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

3

Application Number

09/993,961

Filing Date

November 27, 2001

First Named Inventor

Karel Van den BERG

Art Unit

1746

Examiner Name

Saeed T. Chaudhry

Attorney Docket Number

04132.0108.CPUS01

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JAN 12 2008

OFFICE OF PETITION

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Statement Under 37 CFR 3.73(b)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	2. Filing Receipt for return with USPTO Date Stamp
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	HOWREY LLP		
Signature			
Printed name	Michael J. Bell		
Date	April 25, 2008	Reg. No.	39,604

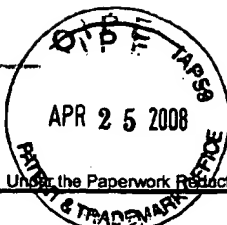
**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/82 (01-06)

Approved for use through 12/31/2008. OMB 0651-0035  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**REVOCATION OF POWER OF  
ATTORNEY WITH  
NEW POWER OF ATTORNEY  
AND  
CHANGE OF CORRESPONDENCE ADDRESS**

Application Number	09/993,961
Filing Date	November 27, 2001
First Named Inventor	Karel van den BERG
Art Unit	1746
Examiner Name	Saeed T. Chaudhry
Attorney Docket Number	04132.0108, CPUS01

RECEIVED

2 2009

OFFICE OF PETITIONS

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

22930

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with  
Customer Number:

22930

OR

<input checked="" type="checkbox"/> Firm or Individual Name	HOWREY LLP				
Address	C/O DOCKETING DEPARTMENT 2941 FAIRVIEW PARK DRIVE BOX 7				
City	FALLS CHURCH	State	VA	Zip	22042
Country	USA				
Telephone	703.663.3600	Email			

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

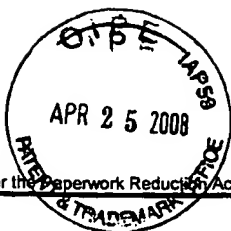
Signature			
Name	F.J.A. de Groen		
Date	28 March 2008	Telephone	31.10.59.96.333

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PTO/SB/96 (01-08)

Approved for use through 03/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)****RECEIVED**Applicant/Patent Owner: Karel van den BERG**JAN 12 2009**Application No./Patent No.: 09/993,961 Filed/Issue Date: November 27, 2001**OFFICE OF PETITIONS**Entitled: METHOD AND APPARATUS FOR CLEANING A MILK LINE SYSTEMMAASLAND N.V., a Limited Liability Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest  
(The extent (by percentage) of its ownership interest is \_\_\_\_\_ %)

in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 008204, Frame 0381, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

28 March 2008

Signature

Date

F.J.A. de Groen31.10.59.96.333

Printed or Typed Name

Telephone Number

Dutch Representative

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/993,961	11/27/2001	Karel van den Berg	04132.0108.CPUS01

**CONFIRMATION NO. 9011**

**POA ACCEPTANCE LETTER**



22930  
HOWREY LLP  
C/O IP DOCKETING DEPARTMENT  
2941 FAIRVIEW PARK DR, SUITE 200  
FALLS CHURCH, VA 22042-2924

Date Mailed: 05/12/2008

**NOTICE OF ACCEPTANCE OF POWER OF ATTORNEY**

This is in response to the Power of Attorney filed 04/25/2008.

The Power of Attorney in this application is accepted. Correspondence in this application will be mailed to the above address as provided by 37 CFR 1.33.

/sareebuddin/

Office of Data Management, Application Assistance Unit (571) 272-4000, or (571) 272-4200, or 1-888-786-0101



# **EXHIBIT B**

# REQUEST FOR CORRECTION OF ENTITY STATUS

## Itemization of the Deficiency Payment

Application No.	Patent No.	Type of fee Paid as Small Entity	Payment Date of Small entity Fee	Small Entity Fee Actually Paid	Current Fee Amount for Non-Small Entity	Surcharge Fee	Deficiency Amount Owed
09/993,961		Filing Fee	Nov. 29, 2001	\$370	\$850		\$480
		Additional Claims Fee (4 dep.)	Nov. 29, 2001	\$36	\$208		\$172
		Additional Claims Fee (3 indep.)	Nov. 29, 2001	\$126	\$660		\$534
		Additional Claims Fee (1 indep.)	Dec. 11, 2001	\$42	\$220		\$178
		Extension of Time (2 mo.)	May 6, 2002	\$200	\$490		\$290
		Late Oath Surcharge	May 6, 2002	\$65	\$130		\$65
		Extension of Time (3 mo.)	Sep. 3, 2003	\$465	\$1,110		\$645
		Terminal Disclaimer	July 9, 2004	\$55	\$140		\$85
		Extension of Time (3 mo.)	July 9, 2004	\$465	\$1,110		\$645
		Extension of Time (3 mo.)	Jan. 24, 2005	\$510	\$1,110		\$600
		Petition Fee	May 9, 2005	\$400	\$400		0
		Petition to Revive - Unintentional	Nov. 18, 2005	\$750	\$1,620		\$870
		Extension of Time (3 mo.)	Apr. 17, 2007	\$510	\$1,110		\$600
		Notice of Appeal	Apr. 17, 2007	\$250	\$540		\$290
		Extension of Time (3 mo.)	Feb. 29, 2008	\$1,050	\$1,050		0
		Petition to Revive-Unintentional	Feb. 29, 2008	\$1,540	\$1,540		0
		Credit from PTO	May 27, 2008	-\$1,540	-\$1,540		0
		Printing Fee	Dec. 4, 2008	\$30	\$30		0
		Publication Fee	Dec. 4, 2008	\$300	\$300		0
		Issue Fee	Dec. 4, 2008	\$1,510	\$1,510		0
<b>Total Deficiency Payment Owed</b>							\$5,454
Petition Fee for Petition under 37 CFR 1.28(c)							0
<b>TOTAL PAYMENT</b>							<b>\$5,454</b>